



Express Mail Label No. EV 326 972 165 US

Attorney Docket No. 59150-8035

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: MASAHARU KURODA

APPLICATION NO.: 10/539,992

I.A. FILING DATE: 12/09/2003

FOR: PLANT WITH REDUCED PROTEIN CONTENT IN SEED,  
METHOD OF CONSTRUCTING THE SAME AND METHOD  
OF USING THE SAME

EXAMINER: UNKNOWN

ART UNIT: Unknown

CONF. No.: 8318

**Response to Notice of Defective Response**

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. In response to the Notice to Comply mailed October 6, 2006 (copy enclosed), applicant submits the following:

☒ Two CD ROMS, each containing a sequence listing, and a Matching Declaration.

Please consider COPY 1 as the written copy of the sequence listing (on compact disc) and COPY 2 as the CRF copy. The sequence listings provided herein contains no new matter.


2. Conditional Petition for Extension of Time

Applicant petitions for an Extension of Time if necessary for timely filing of these papers.

3. Fee Payment

☒ No fee is believed due; however, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment for timely filing of the papers referenced above to Deposit Account No. 50-2207.

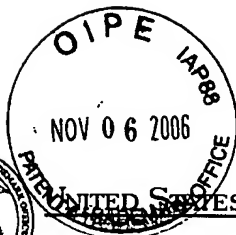
Respectfully submitted,

  
Jacqueline F. Mahoney  
Registration No. 48,390

Date: Nov. 6, 2006

**Correspondence Address:**

Customer No. 22918  
Ph: 650 838-4410

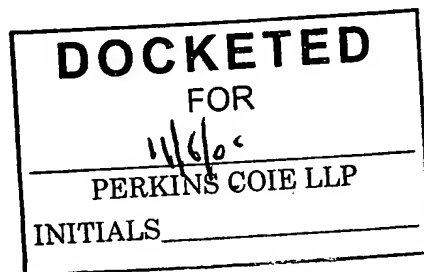


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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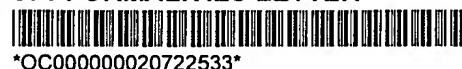
|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/539,992                  | Masaharu Kuroda       | 59150-8035       |

22918  
PERKINS COIE LLP  
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|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/JP03/15753                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 12/09/2003                    | 12/20/2002    |

CONFIRMATION NO. 8318  
371 FORMALITIES LETTER



\*OC000000020722533\*

Date Mailed: 10/06/2006

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 06/20/2005
- English Translation of the IA filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Copy of IPE Report filed on 06/20/2005
- Preliminary Amendments filed on 04/12/2006
- Information Disclosure Statements filed on 06/20/2005
- Biochemical Sequence Diskette filed on 04/12/2006
- Oath or Declaration filed on 04/12/2006
- Biochemical Sequence Listing filed on 04/12/2006
- U.S. Basic National Fees filed on 06/20/2005
- Priority Documents filed on 06/20/2005
- Power of Attorney filed on 04/12/2006
- Specification filed on 06/20/2005
- Claims filed on 06/20/2005
- Abstracts filed on 06/20/2005
- Drawings filed on 06/20/2005

Applicant's response filed 04/12/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/14/2006 have not been completed.

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- The computer readable form that has been filed with this application has been found to be damaged and/or

unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/539,992                  | PCT/JP03/15753                | 59150-8035       |